STATE OF MINNESOTA v. LANE, SECRETARY OF THE INTERIOR, ET AL.

IN EQUITY.

No. 20. Original. Motion to dismiss. Argued April 15, 1918.—Decided June 3, 1918.

An act of Congress granted the "undisposed of" lands in certain sections to a State, saving "vested rights" of others existing at its date. Part of the described tracts, here in question, within the indemnity limits of the Northern Pacific, had previously been selected by that railroad and by it sold to purchasers in good faith. After the date of the act, the selections were canceled as being founded on improper bases, but the Land Department, upon fully hearing the State, allowed an application of the purchasers' assignee, made meanwhile, to purchase the lands in question from the United States, and secure patents therefor, under the Adjustment Act of March 3, 1887. *Held*, that the decision was not arbitrary, and that a suit against the Secretary of the Interior and the Commissioner of the General Land Office, brought by the State before the patents issued, to enjoin their issuance and to quiet its title, would not lie. *Lane* v. *Watts*, 234 U. S. 525, distinguished.

Dismissed.